

111TH CONGRESS  
1ST SESSION

# H. R. 3631

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2009

Received; read twice and referred to the Committee on Finance

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## AN ACT

To amend title XVIII to provide for the application of a consistent Medicare part B premium for all Medicare beneficiaries in a budget neutral manner for 2010.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Medicare Premium  
3 Fairness Act”.

4 **SEC. 2. MEDICARE PART B PREMIUM FOR 2010.**

5       (a) PREMIUM COMPUTATION.—Section 1839 of the  
6 Social Security Act (42 U.S.C. 1395r) is amended—

7           (1) in subsection (a), by adding at the end the  
8 following new paragraph:

9           “(5) The monthly premium under this subsection for  
10 2010 shall be the monthly premium under this subsection  
11 for 2009.”; and

12           (2) in subsection (i)(3)(A), by adding after and  
13 below clause (ii) the following:

14           “‘In applying clause (ii) for 2010, the monthly  
15 actuarial rate described in such clause shall be  
16 such monthly actuarial rate for 2009.’”.

17       (b) OFFSET FROM MEDICARE IMPROVEMENT  
18 FUND.—Section 1898(b) of such Act (42 U.S.C.  
19 1395iii(b)) is amended—

20           (1) in paragraph (1)—

21           (A) in subparagraph (A), by striking the  
22 semicolon at the end and inserting the fol-  
23 lowing: “, reduced by the sum of—

24           “(i) the amount transferred under  
25 paragraph (5); and

26           “(ii) \$567,000,000;”;

1 (B) by redesignating subparagraph (B) as  
2 subparagraph (C); and

3 (C) by inserting after subparagraph (A)  
4 the following new subparagraph:

5 “(B) fiscal year 2015, the amount speci-  
6 fied in subparagraph (A)(ii); and”; and

7 (2) by adding at the end the following new  
8 paragraph:

9 “(5) TRANSFER AND OFFSET.—There are here-  
10 by transferred from amounts in the general fund of  
11 the Treasury to the Federal Supplementary Medical  
12 Insurance Trust Fund an amount equivalent, as es-  
13 timated by the Chief Actuary of the Centers for  
14 Medicare & Medicaid Services, to the aggregate re-  
15 duction in premiums payable under part B that re-  
16 sult from the application of paragraph (5) of section  
17 1839(a) and the last sentence of section  
18 1839(i)(3)(A).”.

Passed the House of Representatives September 24,  
2009.

Attest: LORRAINE C. MILLER,  
*Clerk.*